

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY NAVITAS)	ORDER DESIGNATING
ENERGY, INC. REGARDING ITS)	AFFECTED AREA AND
NOTIFICATION OF INTENT TO APPLY FOR A)	LOCAL REVIEW
PERMIT FOR AN ENERGY CONVERSION)	COMMITTEE
FACILITY)	EL05-001

On January 13, 2005, the Public Utilities Commission (Commission) received a notification of intent to submit an application for a permit for an energy conversion facility from Navitas Energy, Inc. (Navitas). The proposed White Wind Farm will consist of up to 102 wind turbines to yield a net capacity of up to 200 MW. The preferred wind turbine will be a 2.0 MW machine with a rotor diameter between 80-90 meters. The turbines and associated facilities will be sited on land that is primarily used as grazing land southeast of the City of White, Brookings County, South Dakota.

Navitas estimates the capital cost of the White Wind Farm project at two hundred fifty million dollars.

Under SDCL 49-41B-6, the Commission is required to designate the affected area relative to this filing and also to designate a local review committee within thirty days after the filing of the notification of intent. According to SDCL 49-41B-2(8), the term "siting area" is defined as "that area within ten miles in any direction of a proposed energy conversion facility or which is determined by the commission to be affected by a proposed energy conversion facility." In ARSD 20:10:22:01(1), "affected area" is defined as "that area which may be affected environmentally, socially, aesthetically, or economically by the location of a facility at a proposed site."

At its February 8, 2005, Commission meeting, the Commission discussed the designation of the affected area and the local review committee. The Commission has jurisdiction over this matter pursuant to SDCL 49-41B, specifically SDCL 49-41B-6 and ARSD 20:10:22:01 and 20:10:22:02. After its discussion, the Commission determined that the affected area for Navitas' proposed White Wind Farm is an area in Brookings County encompassing that portion of Argo Township not located within the Estelline School District and all of Afton, Aurora, Alton, Richland, Lake Hendricks, Oak Lake and Sherman Townships and the city of Brookings, which is adjacent to Aurora Township. Included within this area are the cities of Aurora, Brookings, Bushnell and White and portions of the Brookings, Elkton and Deubrook School Districts. In accordance with SDCL 49-41B-6, the Commission designated the local review committee which shall be comprised of the following individuals, ex officio:

- (1) The Chairman of the Brookings County Commission;
- (2) The Presidents of the School Boards of Brookings School District 05-1, Elkton School District 05-3 and Deubrook School District 05-6;
- (3) The Mayors or presiding officers of the cities of Aurora, Brookings, Bushnell and White; and
- (4) A person appointed by Navitas Energy, Inc.

Any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by his/her successor, who shall promptly notify the Commission of such succession.

It is therefore

ORDERED, that the affected area for the purposes of this filing shall consist of an area in Brookings County encompassing that portion of Argo Township not located within the Estelline School District and all of Afton, Aurora, Alton, Richland, Lake Hendricks, Oak Lake and Sherman Townships and the city of Brookings, which is adjacent to Aurora Township. Included within this area are the cities of Aurora, Brookings, Bushnell and White and portions of the Brookings, Elkton and Deubrook School Districts; and it is

FURTHER ORDERED, that the local review committee shall be comprised of the above referenced individuals, serving ex officio, and that any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by his/her successor, who shall promptly notify the Commission of such succession.

Dated at Pierre, South Dakota, this 9th day of February, 2005.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

GARY HANSON, Chairman

ROBERT K. SAHR, Commissioner

DUSTIN M. JOHNSON, Commissioner